

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ISAIAH HUMPHRIES,

Plaintiff,

v.

THE PENNSYLVANIA STATE
UNIVERSITY; JAMES FRANKLIN;
AND DAMION BARBER,

Defendants.

No. 4:20-CV-00064

(Chief Judge Brann)

ORDER

SEPTEMBER 24, 2021

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that The Pennsylvania State University (“the University”) and James Franklin’s Motion to Dismiss Plaintiff Isaiah Humphries’ Third Amended Complaint (Doc. 62) is **GRANTED**. The following claims are hereby dismissed with prejudice:

1. Count I against the University for Violation of Title IX of the Education Amendments of 1972;
2. Count II against the University for negligence per se related to the Timothy J. Piazza Antihazing Law;
3. Count IV against the University for negligence;
4. Count V against James Franklin for negligence; and

5. Count VIII against the University and Franklin for negligent infliction of emotional distress.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge